

IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF PENNSYLVANIA

VICTORIA BIBBS,)	
Plaintiff,)	
v.)	C.A. No. 05-41 ERIE
FREDERICK G. MUNCH, et al,)	
Defendants.)	

MEMORANDUM ORDER

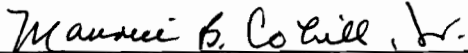
Plaintiff's complaint was received by the Clerk of Court on February 1, 2005, and was referred to United States Magistrate Judge Susan Paradise Baxter for report and recommendation in accordance with the Magistrates Act, 28 U.S.C. § 636(b)(1), and Rules 72.1.3 and 72.1.4 of the Local Rules for Magistrates.

The magistrate judge's report and recommendation, filed on June 2, 2006, recommended that the second motion to dismiss of Defendant Munch (Doc. #28) be granted, that the motion to dismiss amended complaint of Defendants Zborgowski and Cavanaugh (Doc. #30) be granted, and the motion to dismiss or for partial summary judgment filed by Plaintiff (Doc. #33) be denied. The parties were allowed ten (10) days from the date of service to file objections. Service was made on Plaintiff by certified mail, and on Defendants. Objections were filed by Plaintiff on June 13, 2006. (This Court construes the Notice (Doc. #40) as the objections to the Report and Recommendation) After de novo review of the pleadings and documents in the case, together with the report and recommendation and objections thereto, the following order is entered:

AND NOW, this 28th Day of June, 2006;

IT IS HEREBY ORDERED that the second motion to dismiss of Defendant Munch (Doc. #28) is GRANTED, that the motion to dismiss amended complaint of Defendants Zborgowski and Cavanaugh (Doc. #30) is GRANTED, and the motion to dismiss or for partial summary judgment filed by Plaintiff (Doc. #33) is DENIED.

The report and recommendation of Magistrate Judge Baxter, dated June 2, 2006,
is adopted as the opinion of the court.



MAURICE B. COHILL, JR.
United States District Judge

cc: Susan Paradise Baxter
U.S. Magistrate Judge

all parties of record _____